



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,890	10/01/2003	Vineet Kalucha	112097.133US1	1973

24395 7590 05/19/2006

WILMER CUTLER PICKERING HALE AND DORR LLP
1875 PENNSYLVANIA AVE., NW
WASHINGTON, DC 20004

EXAMINER

LEWIS, CHERYL RENE A

ART UNIT	PAPER NUMBER
----------	--------------

2167

DATE MAILED: 05/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/674,890

Applicant(s)

KALUCHA ET AL.

Examiner

Cheryl Lewis

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-25 are presented for examination.

PRIORITY

2. Applicant has complied and receives the benefit of priority of an earlier filing date to application 60/415,103 filed on October 2, 2002.

Specification

3. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 1, 16, 20, and 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites “structured and unstructured electronic data”. The examiner kindly requests that the applicant should specify what exactly is considered to be “structured” and “unstructured” data? What are the attributes and executable qualities of “structured” and “unstructured” data?

Claims 1, 16, 20, and 23 recite “at least one reference”. The claim limitation is vague. The claims should recite what the reference is.

The claims further recite “providing information” and “at least one project”. The limitations for “providing information” and “at least one project” are broad and vague. Kindly provide specific, detailed data about the “information” and the “project” that is being used and implemented within this invention.

Claim Objections

6. Claims 11 and 14 contain the trademark/trade name Outlook®. Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade name is used to identify/describe

a multimedia file format as shown on page 14 and, accordingly, the identification/description is indefinite.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Sheldon et al. (Pat. No. 6,708,205 B2, filed May 14, 2002, Provisional application No. 60/269,284, filed on February 15, 2001).

9. Regarding Claims 1, 20, and 23, Sheldon teaches an e-mail messaging system. The method and associated system for an e-mail messaging system as taught or suggested by Sheldon includes:

associating at least one user with at least one reference (col. 17, lines 4-62, i.e. 'e-mails'), wherein the at least one user indicated as having at least one access level of a plurality of access levels (col. 15, lines 55-67, col. 16, lines 1-13); associating at least one reference with at least one of at least one item and at least one project (col. 10, lines 7-53); associating a plurality of users, including at least one user with at least one group, and assigning at least one group access level to the at least one of the at least

Art Unit: 2167

one item and the at least one project (col. 7, lines 31-39, col. 11, lines 65-67, col. 12, lines 1-15); responsive to at least one user, providing information representative of at least one of the least one item and the plurality of items in the at least one project associated with the at least one of the least one reference and the at least one group (col. 19, lines 9-62); and providing at least one item to the at least one user with the at least one access level corresponding to the one reference associated therewith (col. 7, lines 31-39, col. 11, lines 65-67, col. 12, lines 1-15).

10. Regarding Claim 2, Sheldon teaches at least two of read access (col. 13, lines 50-65) and no access (col. 16, lines 1-32).

11. Regarding Claims 3, 21, and 24, Sheldon teaches at least one access level corresponds to a most restrictive access of the at least one reference (col. 7, lines 31-39, col. 11, lines 65-67, col. 12, lines 1-15).

12. Regarding Claims 4, 22, and 25, Sheldon teaches at least one of a root term (col. 4, lines 58-67).

13. Regarding Claim 5, Sheldon teaches at least one project includes at least one owner and at least one user is assigned as the owner (col. 5, lines 43-67, wherein the owner is provided access to the plurality of items in at least one project regardless of the access level (col. 5, lines 43-67).

14. Regarding Claims 6 and 17, Sheldon teaches the plurality of items are classified in a plurality of classes (col. 7, lines 31-39, col. 11, lines 65-67, col. 12, lines 1-15), the step of determining retrieval criteria including at least one reference for at least one class of interest selected from the plurality of classes (col. 7, lines 31-39, col. 11, lines

Art Unit: 2167

65-67, col. 12, lines 1-15), and retrieving at least one item and at least one project associated with the at least one reference (col. 7, lines 31-39, col. 11, lines 65-67, col. 12, lines 1-15).

15. Regarding Claim 7, Sheldon teaches denying access to at least one other user wherein one of the at least one reference and the at least one project are not associated with one other user (col. 16, lines 1-32).

16. Regarding Claims 8 and 18, Sheldon teaches displaying at least a portion of the representative information (figures 1a-1b and 4a-10a).

17. Regarding Claim 9, Sheldon teaches at least one user with at least one reference comprises at least removing one user from at least one reference, adding a user to at least one reference, and reassigning at least one user in at least one group associated with at least one project (figures 1a-1b and 4a-10a).

18. Regarding Claims 10 and 19, Sheldon teaches selecting at least one project and listing the plurality of items in the project, and a responsive to a selection of at least one of the plurality of items displaying information characterizing the item, via a native application cooperating therewith (figures 1a-1b and 4a-10a).

19. Regarding Claim 11, Sheldon teaches at least one item is one of a an e-mail (figures 1a-1b and 4a-10a).

20. Regarding Claim 12, Sheldon teaches the document is at least one of a text document (figures 1a-1b and 4a-10a)

21. Regarding Claim 13, Sheldon teaches the plurality of items cooperate with at least one native application (figures 1a-1b and 4a-10a, col. 14, lines 64-67)

Art Unit: 2167

22. Regarding Claim 14, Sheldon teaches at least one native application includes at least one of Outlook (col. 14, lines 64-67).

23. Regarding claims 15 and 16, the limitations of these claims have been noted in the rejections of claims 1, 2, 6, 8, and 13 above. They are therefore rejected as set forth above.

NAME OF CONTACT

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (571) 272-4113. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

(571) 273-4113 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

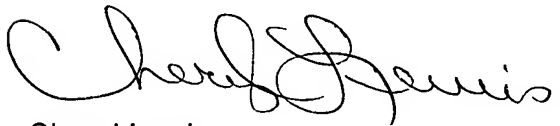
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/ Technology Center (571) 272-2100.

Art Unit: 2167

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in cursive script, appearing to read "Cheryl Lewis".

Cheryl Lewis
Patent Examiner
May 12, 2006